

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

CANDICE EVE MIZA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:21-cv-00315-SAB

ORDER RE: STIPULATED MOTION TO  
MODIFY SCHEDULING ORDER

(ECF Nos. 5, 19, 21, 22)

On May 10, 2022, the parties submitted a stipulated request for an extension of time, which the Court construes as a stipulated motion to modify the scheduling order. (ECF No. 22.) The parties seek a three-day extension of time to file Plaintiff's opening brief from May 10, 2022, to May 13, 2022. This is Plaintiff's third request for an extension of time to file the opening brief. Counsel proffers she requires additional time because she recently returned to California after being out of the state for several months due to her father's current health issues and is catching up on past due assignments as well as striving to ensure the timely submission of briefing assignments currently on calendar. (Id. at 1–2.) The Court is satisfied that good cause exists to grant the requested extension. However, the parties are reminded that requests to modify the briefing schedule that are made on the eve of a deadline or thereafter will be looked upon with disfavor and may be denied absent a showing of good cause for the delay in seeking an extension.

Accordingly, IT IS HEREBY ORDERED that:

1. The parties' stipulated motion to modify the schedule (ECF No. 22) is GRANTED;
2. Plaintiff shall have until **May 13, 2022**, to file the opening brief; and
3. All remaining deadlines as set forth in the scheduling order (ECF No. 5), as amended (see ECF Nos. 19, 21) shall be modified accordingly.

IT IS SO ORDERED.

Dated: **May 11, 2022**

  
UNITED STATES MAGISTRATE JUDGE